

Solon Township Board  
Regular Meeting  
Thursday, October 14, 2021 7:00 P.M  
Solon Township Hall  
9191 S. Kasson St., Cedar, MI 49621

MINUTES

**1. Call to Order**

**2. Pledge of Allegiance**

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present: Supervisor Jim Lautner, Treasurer Joan Gauthier, Clerk Shirley Mikowski, Trustee Steve Yoder and Trustee Pat Deering.

Guests present: Brian Rowley, Deb Flees, Ray Pleva, Mary Taylor, Judy Janosik, Charlie Smith, Karen Smith, Darren Novak, Ken Novak, Joan Garvin, Denis Garvin, Dale Gauthier, Lisa Rossi, Don DeMoulpied, Mary O'Neill, Chris Comeaux, Diane Pelak, Kelly Claar, Jim DeMoulpied, Don Clarke and Paul Fehrenbach.

**3. Approval of Agenda**

Motion by Joan Gauthier and seconded by Steve Yoder to approve the agenda with an addition under New Business: D. Mediation Attendees. Motion carried 5-0.

**4. Approval of Minutes**

Motion by Joan Gauthier and seconded by Steve Yoder to approve the September 9, 2021 regular meeting minutes as written. Motion carried 5-0.

**5. Public Comment**

Jim DeMoulpied thinks there are some on the township board and others that do not know what is going on because he has had many people tell him they thought the business with his barn was done two years ago. Jim said he has already complied and cut a corner of his building off to meet the 20 feet setback, and now they want it 50 feet from the property line. It is not over by any means because the township has a lawsuit against him. Mr. Bieganowski and Mr. Cypher said he will be charged \$20,000.00 and his building will be torn down if he does not comply. He does not understand why the pigs can be anywhere on the property, but when he puts them in a barn, they have to be 50 feet from the property line. How would you like to have someone come on your property unannounced six times a year to walk on your property? There are people and some board members that have bought pigs from him. These pigs are 90% 4-H pigs. Mr. DeMoulpied also does not understand why the board wants to condemn a working person.

Don Clarke, who is a friend of Jim DeMoulpied asked if the board members would come to Jim's property to look at what is going on.

Supervisor Jim Lautner said they cannot because it is now in the attorney's hands. Don Clarke was going to ask the audience a question and Jim Lautner told him you cannot ask the public a question. It can be asked outside of the meeting.

Darren Novak said he has been with Jim throughout this whole process and there are several facts the board has overlooked. He was with Jim DeMoulpied when Tim Cypher/ZA told him it was a 20 foot setback and now he is being told he has to have a 50 foot setback because of the large animal clause in the Zoning Ordinance. Mr. Novak does not believe a pig is a large animal, and believes this started with a personal vendetta against Jim with



Commissioner Tony Ansonge, and Mr. Cypher has to cover his tracks. Mr. DeMoulpied has already complied by cutting a quarter of his building off, so let it go.

Ken Novak said the township has so much money to spend on a lawsuit, but the township boat launches at Perrins Landing and Solon Beach Park are garbage, and there is no light at the recycling site. He does not understand why the township is picking on a pig farmer who has been around for all these years. Instead of spending so much money on attorneys, spend that money on fixing up the township parks.

Paul Fehrenbach is a friend of Jim DeMoulpied and shared his frustration on how difficult it was to obtain a permit from Tim Cypher/ZA. Mr. Fehrenbach owns an auto repair shop in Cedar and several years ago tried to apply for a permit early in the spring to pour a cement pad at his place of business. He ended up pouring the cement without a permit, and to his knowledge, a permit was never issued. Mr. Cypher said he left a message on his answering machine and when Mr. Fehrenbach asked Tim what phone number he called, he told Mr. Cypher there was no answering machine. Mr. Cypher told Mr. Fehrenbach that he caught him.

Don DeMoulpied asked for a land use permit on July 6 and mailed the application with a first class stamp at the same post office Mr. Cypher receives his mail. He did not hear from Mr. Cypher until August 1 which is five days short of a month. He has gone other places to get a permit with getting one in no time at all so does not understand why it takes so long to get a permit in this township. Mr. DeMoulpied knows there is a difference between a construction permit and Land Use Permit. He has had a problem with the construction because of a blue print error and emailed Mr. Cypher on September 17 about the problem, and has still not heard from him

Deb Flees was with Jim DeMoulpied when all of this started and she called Tim Cypher/ZA herself. She clearly remembers they were told it was a 20 foot setback, and he had to wait a long time to get a permit. She went on to say that Jim is a good guy and it would not be fair to the 4-H kids. This is absolutely ridiculous that this township is spending this kind of money on attorneys.

Denis Garvin said he has been a dairy farmer for 30 years and is now raising beef cattle. Mr. Garvin did not understand why the board would put Jim out of business because of a setback, and what difference is it if he puts the pigs in the barn or out in the pasture. He also did not understand why Mr. DeMoulpied could not be on the agenda.

Jim Lautner said the township attorney advised it not be on the agenda because it is in litigation.

## **6. Correspondence**

- A FOIA was received from Tony Ansonge that is being addressed.
- There is another workshop on how ARPA Funds may be used on October 28, 2021 that Shirley Mikowski will be attending. This will be a virtual workshop.

## **7. Treasurer's Report/Authorization for Payment of Vouchers:**

Joan Gauthier reported she contacted TCF Bank and was able to get all of the analysis fees reversed. TCF Checking \$9,057.10, TCF Bank General Savings \$102,768.68, Total Funds Available: \$111,825.78, TCF Bank Road Improvement Fund \$5,344.28, TCF Fire Fund CD \$42,679.30, TCF Fire Fund Savings \$513.15, Total Fire Sinking \$43,192.45, TCF Sidewalk Fund \$8,870.92, TCF Oleson Foundation Grant/Playground Equipment \$10,101.06, TCF Cedar River Marina Project \$29,187.02, Total other Township Funds Available: \$96,695.73 - Total Current Assets: \$208,521.51, Parks and Recreation \$7,019.10. Voucher #'s 14201-14248 were submitted for payment. Motion by Steve Yoder and seconded by Shirley Mikowski to accept the Treasurer's report and pay vouchers as presented. Motion carried 5-0.

## **8. Committee Reports:**

Steve Yoder reported the Planning Commission meeting was held on Tuesday, October 5, 2021. All members and fifteen guests were present.

- A Public Hearing on the Zoning Ordinance was held and there were no changes made to the ordinance. The ordinance is being forwarded to the Leelanau County Planning Commission.



- Planning members worked on a new survey that they are planning to send out with the 2021 winter tax bills. Joan Gauthier said the survey needs to be received no later than November 13, 2021 to be included with the winter tax bills.

Kelly Claar reported the Parks and Recreation Committee met on Tuesday, September 28, 2021 at 6:00 P.M. at the Solon Township Hall. One member was absent and there was one guest present.

- The pop can drive has been very successful but is very labor intensive. The committee has decided to suspend the drive beginning in November and start it up again in May doing it only once a month. They do have more funds than what is listed on the financial report.
- The boat wash stations have been delivered, but they're not sure where they will be placed.
- The Parks and Recreation Plan is due by February 2022.
- The park meetings are going to be suspended until the new recreation plan is done or they will meet as need be.
- Kelly asked for direction from the township board on how they want the Parks Committee and the River Committee to be structured. Kelly feels she is being put in a position of being responsible for the River Committee's lack of public notice of meetings, minutes and agenda. Joan Gauthier asked if they are public meetings, which they are. Shirley Mikowski said technically the township board did not form the River Committee; and to her understanding, it was formed on its own. Joan noted that the Cedar River Marina Project Fund is under the jurisdiction of the township, but can only be used for the river project. Jim Lautner said if there is money coming into the township and going out of the township there needs to be a public meeting and there needs to be minutes that the clerk receives a copy of. Even though it is not a township fund, the money that is going out still needs to be approved by the board. Steve asked if the River Committee and the Parks Committee are separate and they are.
- They have not had a kickoff meeting yet with Fleis and Vandenbrink, but have received a timeline from them.
- Kelly has paper copies of the township survey and the surveys are due by October 30, 2021.
- They do not have a meeting scheduled at this time, but if the Parks Committee does meet it will be the last Tuesday in November.
- They do have a maintenance check list for the playground that was setup by Mary Taylor. It requires someone to inspect the playground equipment twice a month. The township does not currently have someone to do that. Joan Gauthier suggested the fire department inspect it, because they are right there. Joan also asked how does it get closed and Mary Taylor said the playground does not officially close. Jim Lautner said this will need to be talked about at budget time.

**Zoning Administrator Written Report is attached.**

## **9. Unfinished Business**

### **A. Township Hall/Repairs**

There was nothing to report.

### **B. Parks**

#### **1. Recycling Site**

##### **a. Recycling Agreement**

Pat Deering is on the Solid Waste Council and said the Council recently met and approved a one year contract to forward to Solon Township. They also approved to increase the payment to \$3,600.00 for the annual lease. The township's recycling contract with the county ends December, 2021. Jim Lautner said that surveillance cameras are going to be installed on the Fire Department and Solid Waste will be sending a one year extension contract. Joan Gauthier said she emailed Trudy Galla and asked if the township was going to receive \$900.00 a quarter plus the \$312.50 and we are not. Jim said they also set it up with the Leelanau County Prosecutor to prosecute those that are throwing away illegal stuff.

#### **2. Solon Beach Park**

##### **a. Signs**

The signs for the Solon Beach Park are in place and look great.



Joan Gauthier said they were aware that Patrick Ivory left debris there that will be removed and the shelters are reroofed. Extra shingles were left there, so Joan wanted to know if they should be put in storage. There is a new house going up on Sandbar Drive, and Popp Excavating has been going back and forth. Their trucks have torn up the road where the culvert is almost exposed. This is something that will need to be addressed.

### **3. Tree Removal**

Pat Deering called Consumer's Energy about the tree on Sullivan St. that is in the power lines. Deering Tree Service will be removing the four specified trees from Solon Township Beach Park in the next couple of weeks.

### **C. Fire Department**

Chris Comeaux/Fire Board Representative gave the following report:  
The budget that was approved for this fire department is \$1,043,404.48 for 2022-2023 fiscal year and \$1,199,915.16 for 2023-2024 fiscal year. This is a four township fire department; Solon will pay \$234,351.12 annually to have a fully staffed ALS that is fulltime. We have over 20 members with the smallest budget in the area with the largest coverage area. There are no volunteers left. McDonald's pays their employees \$21.00 per hour. Ours start out at \$14.41 per hour. Our guys are under paid and so is our chief with his contract being very competitive. Chris said he takes offense when negative comments are printed in the newspaper about how much this township and fire department has spent. All four townships approved the budget and he thanked the township for passing it. The staff is trained in emergency medical services, structural firefighting, wild land fires, hazardous materials response and rope rescue. Chris noted that he doesn't know if any of us could climb down Pyramid Point especially in the middle of winter. It's a pretty steep fall. They also do community service. The Chief agreed to do the maintenance check of the playground equipment. When Chris was there in 2018-2020, they installed over 400 smoke detectors. The Fire Chief has completed Staff and Command and is halfway through his Master's program. Chris encouraged everyone to take a minute to congratulate him. They are very close to signing the union contract. Chris apologized for getting on his soap box, but cannot listen to the negative comments made against the fire department. The negativity has to stop.

Deb Flees asked about the department staff wages and if insurance or any benefits were included in that amount. They receive full benefits along with their wage, but they are also willing to risk their lives.

### **D. Cedar River Project**

Ray Pleva and Co-Chair Diane Pelak were present. Ray gave the following update:

- They are still waiting to hear back on the two funding requests from the ARPA Funds allocated to Leelanau County, and the grant funding request sent to Congressman Jack O'Malley for \$1.9 million.
- The inside of the bridge was painted last week.
- A letter was received previously from Becky Hill who is with the Leelanau Conservancy. She said there is no problem with putting in buoys in the river. Ray received a letter today from the Leelanau Conservancy stating they are against putting the buoys in the mouth of the river. Ray has already been in contact with the Lake Leelanau Lake Association who is responsible for putting all the buoys in the lake. Part of the area that they want to put buoys in, is in the area where the tall grass is holding the silt back.
- The number one project is getting bathroom facilities by the river and the playground.

Joan Gauthier asked why they don't want the buoys at the mouth of the river? Ray said they don't want more traffic. The goal is to have "no wake" signs at the beginning and middle. Patrick McManus is the DNR representative for Leelanau County who knows the river real well. He says there is not enough boat traffic to keep the river open. Ray said that Denis and Joan Garvin have property next to the Conservancy and we could put buoys there.

## **10. New Business**

### **A. L-4029**

The L-4029 was received after the last meeting. Motion by Joan Gauthier and seconded by Steve Yoder to approve the Allocated Operational Millage amount of 0.5731, and the voted Fire/Ambulance Millage of 2.4600 to be levied December 1, 2021. Motion carried 5-0.



### **B. Columbus Street/Tree**

Nicole Corley asked for permission to have a tree cut down that is on Solon Township property. The tree is located at 3094 E Columbus St, it is half-fallen, it is dangling over her property and is creating a safety concern. Shirley Mikowski did go and look at the tree, and there is a lot of wood that could be cut up for firewood. Jim Lautner did sign a contract giving her permission to have the tree cut down at her expense (see attached).

### **C. Cedar Chamber of Commerce/Light Up Cedar**

Lisa Rossi Brett shared that the Cedar Chamber of Commerce will be hosting another Light Up Cedar on November 26, 2021 from 5:00 P.M. – 7:00 P.M. There is a section of Sullivan Street they are requesting to close off to be used to park Santa and his carriage. A letter has been received from the Sheriff's Department and the Fire Chief has been contacted. Motion by Shirley Mikowski and seconded by Joan Gauthier to approve the Property Use Agreement for the Cedar Chamber of Commerce to close off the West corner of East Sullivan Street on Friday, November 26, 2021 from 5:00 P.M. - 7:00 P.M. for Light up Cedar. Motion carried 5-0.

### **D. Mediation Attendee**

Mediation for Leelanau Co Case No. 21-10668-CZ, Solon Township vs. James D. DeMoulied has been scheduled for Wednesday, November 3, 2021 at 9:00 A.M. David Bieganowski has asked that two board members attend along with Tim Cypher/ZA. Jim Lautner and Shirley Mikowski will be attending.

### **11. Public Comment**

Jim DeMoulied said he use to own the property that is being talked about. Somebody on this board knows something on how Ansonge got that property. Something was done crooked with that property because it no longer is an easement. Mr. DeMoulied was the one that unlocked that property so Solon Township could get more tax money. He does not understand how that got on the other property. (Jim Lautner warned him about his language.) Mr. DeMoulied went on to say that is the only way the board will listen. He told the board that is why nothing gets done around here; the township board is either tabling or sweeping things under the rug like they are doing to him. Just like the Special meeting that was held that didn't even have a 24 hour notice. He believes that was only the second Special meeting in Solon Township's history and did see a notice posted at Bunting's, so feels the board was trying to sneak the meeting in without proper notice. The notice was in the Leelanau Enterprise the night of the meeting. He does not understand why the property is not an easement today and regrets unlocking it and selling it to Bugai's. There wouldn't be this problem if Bugai hadn't lied to him and sold it to Ansonge.

Darren Novak said that you have all heard enough and asked the board to rescind the lawsuit. You have the authority to do that. He believes there are two people manipulating the township board. Mr. DeMoulied has complied with the 20 feet and Mr. Ansonge is getting a free attorney and the board knows it. Please end it.

Kelly Claar wanted to clarify that Perrins Landing is not a township park; it is a road end. She thanked the board for approving closing the street for Light Up Cedar event. The new signs at the Solon Beach Park look great. Kelly wanted it to be put on the record that Cedar River is a navigable waterway, so you cannot restrict access.

### **12. Announcements**

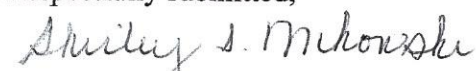
There was none.

### **13. Adjournment**

Motion by Joan Gauthier and seconded by Shirley Mikowski to adjourn the meeting. Motion carried 5-0.

The meeting was adjourned at 8:14 P.M.

Respectfully submitted,



Shirley I. Mikowski  
Solon Township Clerk

# SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: AUGUST 2021

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
9/14/2021	SLUP 21-02C	GALLAGER	SPECIAL USE	SLU2102C	TREAS. HAS 4079 \$ 250.00
010-035-008-00 & 50	7007 E. TRAVERSE HWY.	AG PRODUCTION FACILITY - EXPANSION OF SLU			15,000 S.F.
9/30/2021	SLUP 21-03C	SC FLASKA PROPERTY LAND USE	SLU2103C	PAID W/PC REV.	
010-007-003-00	9190 & 9192 S. KASSON ST	11 DWELLINGS - 4 DUPLEXES - 3 QUAD-PLEXES - TOTAL 31 UNITS VIA PRD BY PC/TB			
010-007-002-00	010-007-001-00				
9/30/2021	LUP 21-23	LEASIA	LAND USE	202123	1054 \$50.00
010-019-010-50	11150 CATE ROAD	ACCESSORY BUILDING			1,008 S.F.

TOTAL \$ 300.00

SIGNED:

Timothy A. Cypher

DATE: 10/8/2021

TIMOTHY A. CYPHER  
SOLON TOWNSHIP ZONING ADMINISTRATOR  
231-360-2557  
[TIM@ALLPERMITS.COM](mailto:TIM@ALLPERMITS.COM)



## Solon Township Property Use Agreement

This Municipal Facilities Use Agreement (Agreement) is made this 11<sup>th</sup> day of October, 2021, between Solon Township (the Township), a municipal entity, whose address is PO Box 253, Cedar, Michigan 49621, and Nicole Corley, (Applicant), whose address is 3094 E Columbus Street Cedar, MI 49621 and

WHEREAS, Solon Township is willing to allow certain uses of its property consistent with protecting the interests of Solon Township, its residents and taxpayers; and

WHEREAS, any such use request shall be decided on a case specific basis by the Township Board based on its policy and proposed use; and

WHEREAS, such permission by the Township Board shall be solely at the discretion of the Township Board and not as of right; and

WHEREAS, Nicole Corley, has made a request to cut tree (as indicated in the photo) from township property adjacent to her property located at 3094 E Columbus Street Cedar, MI 49621 and, start date of October 12, 2021 and end date of October 31, 2021.

WHEREAS, any permission granted requires the Applicant to comply with and meet the requirements outlined in this Agreement below; and

WHEREAS, Solon Township has approved such requested use.

NOW THEREFORE, the parties to this Agreement agree to the following terms and conditions:

1) **Costs and Liabilities.** Applicant shall pay for and be responsible for all costs, expenses, claims, liability of tree of said property.

2) **Indemnity and Hold Harmless.** The Applicant agrees to indemnify and hold the Township harmless from any and all claims, demands or liabilities of whatever kind or nature (including actual attorney's fees) that in any way arise out of Applicant's management and/or use of the property.

3) **Laws and Regulations.** The Applicant shall, at its own cost and expense, comply with all the requirements of all laws and regulations, municipal, state and federal, now in force.

4) **Entire Agreement.** This Agreement contains the entire agreement between the parties and it shall not be modified in any manner except by an instrument in writing executed by the parties.

5) **Term.** This Agreement shall cover the period starting October 12, 2021 and ending on October 31, 2021.

6) **Termination.** This Agreement may be terminated at any time upon the mutual agreement of both parties. In the event Applicant fails to comply with terms of this Agreement, the Township may cancel this Agreement at any time in writing.

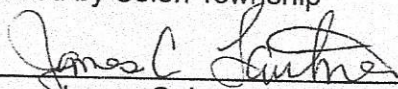
7) **Power to Execute.** Each party certifies that it is fully empowered by their governing boards to execute this Agreement on behalf of their respective entities.

8) **Specific Conditions.**

Applicants shall report to the Solon Township Clerk immediately any circumstances that may be hazardous or dangerous to anyone.

Signed and dated by Solon Township

Signature: \_\_\_\_\_

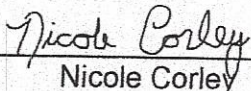


James C. Lautner, Solon Township Supervisor

Date: 10-13-21

Signed and dated by Applicant:

Signature: \_\_\_\_\_



Applicant: \_\_\_\_\_

Nicole Corley

Date: 10/12/2021

Address of Applicant: 3094 E Columbus Street Cedar, MI 49621 Telephone Number: (616) 405-2534